

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Heather Michelle Webb

Docket No. 5:11-CR-229-5F

Petition for Action on Supervised Release

COMES NOW Dewayne L. Smith, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Heather Michelle Webb, who, upon an earlier plea of guilty to Conspiracy to Manufacture, Distribute, and Possess With Intent to Distribute 500 Grams or More of a Mixture Containing Methamphetamine, in violation of 21 U.S.C. § 846, was sentenced by the Honorable James C. Fox, Senior U.S. District Judge, on March 2, 2012, to the custody of the Bureau of Prisons for a term of 55 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 4 years.

Heather Michelle Webb was released from custody on December 10, 2014, at which time the term of supervised release commenced. On October 2, 2015, a Violation Report was submitted advising that the defendant was charged in Wilson County, North Carolina, with Misdemeanor Communicating Threats. Webb denied guilt, and the court agreed to continue supervision until adjudication. This charge was dismissed on November 23, 2015. On November 12, 2015, a Violation Report was submitted advising that Webb was charged in Nash County, North Carolina, with Simple Assault. The defendant denied guilt, and the court agreed to continue supervision until adjudication. On November 10, 2015, the defendant tested positive for cocaine, and a Petition for Action was submitted to the court on November 25, 2015. As a sanction for this violation, the court ordered that Webb serve 2 days in jail; same completed on December 22, 2015. On January 11, 2016, a Petition for Action was submitted advising that Webb was found guilty of Simple Assault in Nash County District Court. Her state sentence entailed a 45 day suspended sentence, 5 years unsupervised probation, and ordered to complete 50 hours of community service. As a sanction for this violation, she was ordered to complete 30 days of home detention.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS: On May 10, 2016, the defendant tested positive for methamphetamine, which was confirmed through laboratory analysis on May 16, 2016. During a home inspection on May 18, 2016, Webb signed an admission of drug use form acknowledging that she used methamphetamine on May 8, 2016. Additionally, the defendant is \$635 in arrears on her restitution. As a sanction for these violations, the probation office is recommending that she serve 90 days of home detention. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

The defendant shall abide by all conditions and terms of the home detention program for a period not to exceed 90 consecutive days. The defendant shall be restricted to residence at all times except for pre-approved and scheduled absences for employment, education, religious activities, treatment, attorney visits, court appearances, court obligations or other activities as approved by the probation officer. The defendant shall wear an electronic monitoring device and follow electronic monitoring procedures specified by the probation officer.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Dwayne K. Benfield
Dwayne K. Benfield
Supervising U.S. Probation Officer

/s/ Dewayne L. Smith
Dewayne L. Smith
U.S. Probation Officer
201 South Evans Street, Rm 214
Greenville, NC 27858-1137
Phone: 252-830-2338
Executed On: May 20, 2016

ORDER OF THE COURT

Considered and ordered this 23 day of May, 2016 and ordered filed and
made a part of the records in the above case.

James C. Fox
James C. Fox
Senior U.S. District Judge